

NAME: Agnew Multisectional Modular Home – Conditional Use Permit

LOCATION: 2605 Brown Street

OWNER/APPLICANT: Aaron D. Agnew, Sr.

PROPOSAL: A conditional use permit is requested to allow for placement of a multisectional modular home on this vacant, R-3 zoned, 0.537± acre site.

1. SITE LOCATION:

The property is located at the southeast corner of West 26th Street and Brown Street.

2. COMPATIBILITY WITH NEIGHBORHOOD:

The property is located in a neighborhood of single family residences. The primary housing type appears to be 1940's – 1950's era, frame bungalow's. The applicant's proposed home is comprised of 6, flat-roofed, commercial-style modules that he proposes to join together to make one large single family residence. Although there are at least two other large residential structures in the immediate area (on Brown Street) they are built in the more traditional residential style that is more compatible with the other homes. Staff is concerned that the applicant's proposal to use this multi-module non-residential structure as a residence is not compatible with the other homes in the neighborhood.

Notice of the public hearing was sent to all owners of properties located within 200 feet of the site and the Goodwill and Love Neighborhood Associations.

3. ON SITE DRIVES AND PARKING:

This proposed single family residence requires one (1) on-site parking space. The applicant is proposing to construct a two-car garage with a driveway which is large enough to park an additional four (4) vehicles, if needed.

4. SCREENING AND BUFFERS:

No comments on this single family application.

5. PUBLIC WORKS:

1. Brown Street is classified on the Master Street Plan as a residential street. A dedication of right-of-way 25 feet from centerline will be required. The right-of-way dedication will move the property line closer to the proposed building.
2. W. 26th Street is classified on the Master Street Plan as a residential street. A dedication of right-of-way 25 feet from centerline will be required. The right-of-way dedication will move the property line closer to the proposed building.
3. A 20 feet radial dedication of right-of-way is required at the intersection of Brown Street and W. 26th Street.

6. UTILITIES AND FIRE DEPARTMENT/BUILDING CODES:

Little Rock Water Reclamation Authority: Sewer available in alley. Retain 10' wide easement for existing sewer main.

Entergy: Entergy does not object to this proposal. There do not appear to be any conflicts with existing electrical utilities at the location of the proposed construction. There is an existing single phase, overhead power line located in the alley on the east side of this property. Contact Entergy in advance to discuss electrical service requirements, or adjustments to existing facilities (if any) as this project proceeds.

Centerpoint Energy: No comments received.

AT&T: No comments received.

Central Arkansas Water: No comments received. Contact CAW for requirements.

Fire Department:

Maintain Access:

Fire Hydrants.

Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

Fire Hydrants

Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code. Section C101 – C105, in conjunction with Central Arkansas Water (Daniel Tull 501-377-1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501-918-3757 or Capt. John Hogue 501-918-3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Building Codes: No comments.

7. **TRANSPORTATION/PLANNING:**

County Planning: No comments received.

Rock Region METRO: There is a RRM bus route located along W. Roosevelt Road, south of the site.

Planning Division: No comments.

SUBDIVISION COMMITTEE COMMENT:

(MARCH 28, 2018)

The applicant was present. Staff presented the application and noted some additional information was needed on specifics of the application. Staff asked the applicant to provide a site plan with building dimensions and with all setbacks from property lines dimensioned. Staff noted an architect's renderings of the proposed finished structure were submitted. The applicant was asked to confirm that the renderings represented the structure proposed under this application. The applicant was asked to provide some description of the materials to be used on the exterior and roof of the structure. Staff noted the requested fence height variance and asked the applicant to describe the fencing proposed on all perimeters of the site.

Public Works Comments were discussed. The applicant was asked to submit a revised site plan indicating the required right-of-way dedication and the building setbacks as measured from the new property lines.

Other agency comments were noted.

The applicant was advised to respond to staff issues by April 4, 2018. The Committee forwarded the item to the full Commission.

STAFF ANALYSIS:

The applicant is requesting approval of a conditional use permit to allow for placement of a multisectional modular home on this vacant, 0.537± acre site. The applicant acquired 6 modules that had previously been joined together to make a non-residential building. The applicant had the modules brought to a vacant property he owns at the southwest corner of West 26th and Allis Streets with intent of joining them together to make a 6,000± square foot single family residence. The modules were placed on the property without prior approval. Staff initiated enforcement and the applicant filed for a conditional use permit. On January 25, 2018, the Planning Commission denied the conditional use permit to allow for placement of modular home on the property at the southwest corner of West 26th and Allis.

The applicant is now requesting approval to place the modular home on the property he owns at the southeast corner of West 26th and Brown Streets; directly west of the original site. The modules are still located on the original 26th and Allis site.

The applicant proposes to arrange the 6 modules into a hollow square with a courtyard in the center. The proposed single family residence will contain approximately 6,000 square feet. The exterior of the structure will be refinished with lapping or stucco, brick and stone. A new, modern roof will be installed. Roofing materials will be either PVC with solar panels or asphalt shingles. An 8 foot tall wrought iron fence with dry stack stone columns is proposed to enclose the property. A two-car garage structure (either attached or detached) will be located on the south side of the proposed home, with access off of Brown Street. The concrete paved driveway will accommodate an additional 4 vehicles, if needed. The applicant submitted an architect's renderings of the proposed finished structure and has stated those renderings represent the structure proposed under this CUP application.

The current right-of-way for both West 26th and Brown Streets is a total of 30 feet, or 15 feet from centerline. The Master Street Plan requires the dedication of an additional 10 feet on both streets to 25 feet from centerline. Based on the dimensions on the plan submitted by the applicant, the resulting building setback will be 4+ feet on the 26th Street perimeter and 15 feet on the Brown Street perimeter. A rear yard setback of 11.9 feet to 22.1 feet is proposed due to a portion of the alley at the rear of the site having been previously abandoned.

When reviewing a conditional use permit application, the Commission is to review the use's compatibility with the area and specific treatment of...amenities provided to protect the integrity of the neighborhood. The Commission is to determine if the proposed use is compatible with and will not adversely affect other properties in the area where it is proposed to be located. Staff does not believe the specific structure, as proposed, is compatible with the predominate uses in the area.

There is no bill of assurance for this acreage property.

STAFF RECOMMENDATION:

Staff recommends denial.

PLANNING COMMISSION ACTION:

(APRIL 19, 2018)

The applicant was present. There were several persons present in opposition to the item. Staff presented the item and a recommendation of denial. The applicant, Aaron Agnew, addressed the commission. He stated he had moved the proposed location off of Allis Street to accommodate concerns raised by the neighbors. He showed the drawings which had been prepared by an architect. Mr. Agnew stated he had been told by the neighborhood association that there was nothing he could do to gain their support. He stated he was seeking approval to allow a home for his family.

Sedalia Gouley, President of the Goodwill Neighborhood Association, stated the neighborhood was opposed to allowing a modular home.

Sabrina Hood, of 2617 Allis Street, stated she was opposed to the item.

Willie Watson, of 5917 Timberside Rd., voiced his opposition. He stated he was a long-time area property owner. He suggested Mr. Agnew take the proposed modular home elsewhere.

Erma Hendrix, Ward 1 City of Little Rock Board of Directors, stated she supported staff's recommendation. She stated this use was not appropriate for this site.

Donald Mitchell, of 2614 Allis Street, stated he was opposed.

Willie McPherson, no address provided, stated her opposition.

Pam Johnson, no address provided, stated her opposition.

Hurston Simpson, address provided as 3621 Brown Street, stated his opposition.

Stephanie Paxton, of 2514 Booker Street, stated her opposition.

Clayton Williams, of 2524 Allis Street, chose not to speak but indicated his opposition. Tanya Redden, of 2504 Allis Street, chose not to speak but indicated her opposition.

When offered the opportunity to add any comments or response, Mr. Agnew did not speak.

A motion was made to approve the application, including all staff comments and conditions except the recommendation of denial. The motion was seconded. The vote was 0 ayes, 9 noes and 2 absent. The application was denied.